

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHARON K. HENGGELER and )  
DAVID RANDALL, On behalf of ) 8:11CV334  
themselves and all others similarly )  
situated, )  
Plaintiffs, ) ORDER  
vs. )  
BRUMBAUGH & QUANDAHL )  
P.C., LLO, KIRK E. BRUMBAUGH, )  
MARK QUANDAHL, )  
LIVINGSTON FINANCIAL, LLC, )  
MIDLAND FUNDING, LLC, d/b/a )  
ENCORE FUNDING, LLC, )  
A Fictitious Name, and )  
LVNV Funding, LLC, )  
Defendants. )

This matter is before the court on the Plaintiffs' Motion for Leave to Obtain Service on Defendant Kirk E. Brumbaugh Pursuant to Fed. R. Civ. P. 4(e)(1) ([Filing No. 19](#)). The plaintiffs filed a declaration ([Filing No. 20](#)) in support of the motion. The plaintiffs seek to use the procedure set forth in Neb. Rev. Stat. § 25-517.02(1) to obtain service on the defendant Kirk E. Brumbaugh. The court being fully advised in the premises finds that the motion should be granted.

**IT IS ORDERED:**

1. The Plaintiffs' Motion for Leave to Obtain Service on Defendant Kirk E. Brumbaugh Pursuant to Fed. R. Civ. P. 4(e)(1) ([Filing No. 19](#)) is granted.
2. The plaintiffs may attempt service of the First Amended Complaint on Kirk E. Brumbaugh at his usual place of residence by leaving a copy at the defendant's residence, and mailing a copy via first class mail to his place of residence.

Dated this 25th day of October, 2011.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge